

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LEO L. DURAN,

Plaintiff,

v.

No. 09-cv-0758 MCA/SMV

CURRY CNTY. ADULT DET. CTR. et al.,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF'S MOTION FOR LEAVE TO EXCEED PAGE LIMIT**

THIS MATTER is before the Court on Plaintiff's Motion for Leave of Court to Exceed the Allowed Page Limit . . . [Doc. 193] ("Motion"), filed on October 26, 2012. Defendant Donaldson filed his Response opposing the Motion on November 2, 2012. *See* [Doc. 196]. Plaintiff seeks to file a response to Defendant Donaldson's Motion for Summary Judgment [Doc. 181] that exceeds the page limits permitted under D.N.M.LR-Civ. 7.5 and 10.5. The Court, being otherwise fully advised in the premises, FINDS that the Motion should be granted in part and denied in part.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's Motion for Leave of Court to Exceed the Allowed Page Limit . . . [Doc. 193] is **GRANTED in part**, to the extent that Plaintiff has filed his Response and exhibits available to all parties. *See* [Doc. 194];

IT IS FURTHER ORDERED that Plaintiff's Motion for Leave of Court to Exceed the Allowed Page Limit . . . [Doc. 193] is **DENIED in part**, to the extent that Plaintiff has filed a Sealed Confidential Forensic Evaluation [Doc. 195] that is only viewable to Plaintiff and the Court;

IT IS FURTHER ORDERED that Plaintiff's Sealed Confidential Forensic Evaluation [Doc. 195] be **STRICKEN** from the Record;

IT IS FURTHER ORDERED that Defendant Donaldson shall have fourteen days from entry of this Order in which to file his Reply to Plaintiff's Response to Defendant Donaldson's Motion for Summary Judgment.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge